

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 14-380 CRB
)	
Plaintiff,)	PROPOSED ORDER EXCLUDING TIME FROM
)	FEBRUARY 18, 2015, THROUGH FEBRUARY 29,
v.)	2016, AND SETTING PRE-TRIAL MOTIONS AND
)	TRIAL SCHEDULE
FEDEX CORPORATION,)	
FEDERAL EXPRESS CORPORATION)	
(A/K/A FEDEX EXPRESS))	
FEDEX CORPORATE SERVICES, INC.,)	
)	
Defendants.)	

The defendants, FEDEX CORPORATION, FEDERAL EXPRESS CORPORATION (A/K/A FEDEX EXPRESS), FEDEX CORPORATE SERVICES, INC. (collectively “FEDEX”), represented by Cris Arguedas, and the United States, represented by Kirstin M. Ault and Kyle F. Waldinger, Assistant United States Attorneys, filed a Joint Status Conference Statement in which the parties requested that the Court set a schedule for non-substantive pre-trial motions, and exclude time under the Speedy Trial Act from February 18, 2015 through February 29, 2016. The parties represented that the matter pending before the Court is complex, entailing the production of considerable discovery and the resolution

1 of potentially complicated legal issues and that defense counsel's review of discovery and pre-trial
2 investigation is on-going.

3 1. Based on the requests and representations of counsel the Court hereby ORDERS:

4 Motions Round #2

- 5 a. March 25, 2015 – Motions Round #2 – opening briefs are due.
6 b. April 22, 2015 – Motions Round #2 – responsive briefs are due.
7 c. April 29, 2015 – Motions Round #2 – reply briefs are due.
8 d. May 13, 2015 at 2:00 p.m. – Motions Round #2 – motions hearing shall be held.

9 Expert Disclosures

- 10 a. July 29, 2015 – Expert disclosures are due.
11 b. August 19, 2015 – Rebuttal expert disclosures are due.

12 Grand Jury Disclosures

- 13 a. July 29, 2015 – July 29, 2015 – Grand jury transcripts of FedEx employees, of
14 witnesses from districts other than the Northern District of California, and of non-
15 law enforcement witnesses from the Northern District of California, subject to
16 disclosure, shall be disclosed.
17 b. November 4, 2015 – remaining grand jury transcripts from the Northern District
18 of California, subject to disclosure, shall be disclosed.

19 Motions Round #3

- 20 a. September 9, 2015 – Motions Round #3 – opening briefs are due.
21 d. October 7, 2015 – Motions Round #3 – responsive briefs are due.
22 e. October 21, 2015 – Motions Round #3 – reply briefs are due.
23 f. November 4, 2015 at 2:00 p.m. – Motions Round #3 – motions hearing shall be
24 held.

25 Pre-Trial Litigation

- 26 a. December 2, 2015 – Rule 404(b) notice is due.
27 b. January 13, 2015 – Motions in Limine are due.
28 c. February 3, 2016 – Motions in Limine oppositions are due.

d. February 10, 2016 – Motions in Limine replies are due.

e. February 10, 2016 – Pretrial filings are due.


2. A Pretrial Conference shall be held in this matter on February 17, 2016 at 2:00 p.m.

3. Jury selection for trial in this matter shall commence on February 29, 2016.

4. Opening statements shall commence on March 2, 2016.

5. Based upon the representations of counsel, and for good cause shown, the Court finds that (1) the matter is complex, and (2) failing to exclude the time between February 18, 2015, and February 29, 2016, would unreasonably deny counsel for the defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(ii) & (iv). The Court further finds that the ends of justice served by excluding the time between February 18, 2015, and February 29, 2016, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendants in a speedy trial. Therefore, IT IS HEREBY ORDERED that the time between February 18, 2015, and February 29, 2016, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(ii) & (iv).

DATED: January 21, 2015


HON. CHARLES R. BREYER
United States District Judge